McNees Wallace & Nurick LLC attorneys at law

## RECEIVED CENTRAL FAX CENTER

MAR 0 2 2005

**FAX COVER LETTER** 

... Routing #393 Client #21723-0002

DATE:

March 2, 2005

PLEASE DELIVER THE FOLLOWING PAGES:

TO:

Mail Stop Amendment

FAX:

(703) 872-9306

Examiner: Leonard R. LEO

Art Unit: 3753

FROM:

K. Scott O'Brian

Direct Dial:

(717) 237-5492

TOTAL NUMBER OF PAGES, INCLUDING THIS COVER LETTER:

15

#### MESSAGE:

Please acknowledge receipt of documents.

Transmittal Form Certificate of Fax Transmittal Response Under 37 C.F.R. 1.111 (12 pagos)

Attorney Docket No.: 21723-0002 Application No.: 10/643,689 Filed: August 19, 2003

FAX NUMBER: (717) 237-5300

PARALEGAL RESPONSIBLE:

Kimberly A. Newell

TELEPHONE:

(717) 237-5239

### \*\*\*\*\*CONFIDENTIALITY NOTE\*\*\*\*\*

The information and documents accompanying this transmission contain information from the law firm of McNees Wallace & Nurick LLC which is confidential and/or legally privileged. The information is intended solely for the use of the individual or entity named on this transmission sheet. If you are not the designated recipient, you are hereby notified that any disclosure, copying, distribution or taking of any action in reliance on the contents of this information is prohibited.

If you have received this transmission in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us at no cost to you and with reimbursement for cost you may have incurred in responding to this notification.

PTO/SB/97 (08-00)

Approved for use Birough 67/3 (/2005 OMB 6551-005)
U.S. Patien and Trademary Office; U.S. DEPARTMENT OF COMMERCE

Design the Processork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB contractors.

### Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on March 2, 2005. Date

Kimberly A. Newell

mblicy shewell

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Transmittal Form
Response Under 37 C.F.R. 1.111 (12 pages)
Certificate of Fax Transmittal

Attorney Docket No.: 21723-0002

Application No.: 10/643,689 Filed: August 19, 2003

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a bonofit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form under suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tradempth Office. U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FOSS OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Approved for use thrown 97/31/2066, CMB 9651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paparwark Reduction Act of 1995, no parsens are majored to respond to a collection of information unless it displays a valid CMB compit number 10/643,689 Application Number TRANSMITTAL Filing Date August 19, 2003 **FORM** First Named Inventor WAND et al. (to be used for all correspondence after initial filing) Art Unit 3753 Examiner Name Leonard R. LEO Total Number of Pages in This Submission Attorney Docket Number 21723-0002 ENCLOSURES (check all that apply) After Allowance Communication to Fee Transmittal Form Drawing(s) Group Appeal Communication to Board of Fee Attached Licensing-related Papers Appeals and Interferences Petition Appeal Communication to Group Amendment / Roply (Appeal Notice, Brief, Repty Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Terminal Disclaimer Other Enclosure(s) Extension of Time Request (please identify below): Certificate of Fax Transmittal Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Certified Copy of Priority Remarks Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Fern McNees Wallace & Nurick LLC K. Scott O'Brian, Attorney Reg. No. 42,946 Individual namo Signature Date March 2, 2005 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mall in an envelope addressed to: Commissioner for Patents, P.O. Box 1450,

Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name Kimberly A. Newell

Signature Date March 2, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or rotatin a benefit by the public which is to file (and by the USPTO to process) an application. Conditionalishly is governed by 35 U.S.C. 132 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, programing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form another suggestions for reducing this burden, should be sort to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Dependenced of Commission, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SCND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

If you need assistance in completing the form, cell 1-800-PTO-9199 and releat uption 2

Application No. 10/643,689 Attorney Docket No. 21723-0002

# RECEIVED CENTRAL FAX CENTER

MAR 0 2 2005

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

WAND et al.

Application No.:

10/643,689

Group Art Unit:

3753

Filed:

August 19, 2003

Examiner:

Leonard R. LEO

For:

PLATE HEAT EXCHANGER WITH ENHANCED SURFACE FEATURES

### RESPONSE UNDER 37 C.F.R. 1.111

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Please consider the following Response for the above-referenced Application.

### A) INTRODUCTORY COMMENTS

This Response is filed in response to the Office Action dated February 8, 2005.

The Amendments to the Specification section begins on page 2 of this Response.

The Amendments to the Claims section begins on page 3 of this Response and any amendments to the claims are reflected in the listing of the claims included therein.

The Amendments to the Drawings section begins on page 8 of this Response.

The Remarks/Arguments section begins on page 9 of this Response.